

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DARRELL JONES, et al.,
Plaintiffs,**

v.

**WENDELL N. BUTLER, JR., et al.,
Defendants.**

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CIVIL NO. 09-03128

ORDER

AND NOW, this 11th day of August 2009, upon consideration of the Defendants' Motion to Dismiss this action pursuant to Federal Rule of Civil Procedure 12(b)(1) [Doc. No. 6], and Plaintiffs' Response in opposition [Doc. No. 7], as well as oral argument held thereon, and for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED** that the Motion is **GRANTED**. Accordingly, this matter is **DISMISSED** for lack of subject matter jurisdiction. The Clerk of Court is directed to **CLOSE** this case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.